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UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

GUSTAVO BUSTOS-CONTRERAS,

Civil No. 3:11-cv-00632-KI

Plaintiff,

UNCONTESTED MOTION TO EXTEND  
DISCOVERY DEADLINE

vs.

RITTER CHEMICAL, LLC and  
XENIUM RESOURCES, INC.,

Defendants.

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Defendants hereby move the Court for an Order pursuant to Federal Rules of Civil Procedure 6(b) extending the discovery deadline an additional 60 days from the current deadline of July 31, 2012 to a new deadline of October 1, 2012. As a result, the pretrial conference currently set for October 30, 2012 and the trial date currently set for November 6, 2012 will need to be reset.

Counsel for defendants has consulted with counsel for plaintiff and plaintiff joins in this Motion.

The parties have engaged in extensive document discovery on this case. Witnesses, many of which no longer work for defendants, have been located after extensive searches. The main deponents are no longer living in Oregon and plaintiff has moved out of state as

well. While deposition dates were previously proposed and agreed upon by counsel, the witnesses would not agree to be deposed by video conferencing. Plaintiff moved to depose them via video conferencing and the court granted the order on June 28, 2012. Counsels' previously set trial schedules, the schedules of the witnesses, and vacation schedules did not permit depositions to occur in July, prior to the discovery deadline.

The parties believe that all discovery can be completed by October 1, 2012. The parties also propose a new trial date of January 22, 2013 and anticipate the jury trial will take four days to complete.

This motion is made in good faith and is not made for the purpose of delay.

DATED this 26<sup>th</sup> day of July, 2012.

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By   
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